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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,320	10/19/2001	Mohammad Usman	0037203-4	7230
23879	7590	06/29/2005	EXAMINER	
BRIAN M BERLINER, ESQ O'MELVENY & MYERS, LLP 400 SOUTH HOPE STREET LOS ANGELES, CA 90071-2899			SINGH, RAMNANDAN P	
		ART UNIT		PAPER NUMBER
				2646

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/038,320	USMAN ET AL.	
	Examiner	Art Unit	
	Ramnandan Singh	2646	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 09 February 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-46 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-38,44 and 46 is/are allowed.

6) Claim(s) 39-43, 45 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 39 and 45 filed on Feb. 09, 2005 have been fully considered but they are not persuasive.

Applicant's argument--“ at least one embodiment of the applicant's claimed inventions is directed toward the derivation of a subset of a first set of coefficients, the use of that subset to derive a signal used to generate an error signal and the correction of the first set of coefficients using the error signal” on page 14.

Examiner's response—In response to the above argument, the examiner asserts that claims 39 and 45 do not require using the derivation of a subset of a first set of coefficients (i.e. the second set of coefficients) to generate the error signal.

2. Status of Claims

Claims 1 and 45 are amended.

Claims 1-46 are pending.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 39-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Virdee [US 5,473,686] in view of Kastle [US 6,654,623 B1].

Regarding claim 39, Virdee teaches an adaptive filter 212, as shown in Fig. 2, comprising:

- a filter input for receiving a first signal (224);
- a filter output for outputting a second signal (213) based upon said first signal;
- an error input for receiving an error signal (214);
- a plurality of first coefficients, each having an associated energy, wherein the first coefficients are modified based upon the error signal (214); and
- an average energy value of all coefficients [col. 8, lines 11-20].

Virdee does not teach expressly using low-end and high-end energy thresholds to compute a start coefficient and an end coefficient for selecting a plurality of second coefficients as a subset of the first coefficients. It may, however, be noted that using two energy thresholds—low and high thresholds—to identify two filter coefficients is well-known in the art. Further, Virdee also teaches adjusting filter length to generate second coefficients, regardless of which criterion is applied to select the second coefficients [col. 8, lines 52-64].

Kastle teaches a method of selecting a start coefficient (i.e. **low energy coefficient**) and end coefficient (i.e. **high energy coefficient**) by applying at least one

threshold value to an energy value (i.e. **lower energy threshold**) [col. 5, lines 31-37] and (i.e. **(high) energy threshold**) [col. 5, lines 9-16], the energy value being a function of the energy of a plurality of first coefficients [col. 11, lines 4-12]. This is nevertheless a teaching to one of ordinary skill in the art to do the same thing in an adaptive filter by selecting a second set of coefficients having the low energy coefficient as a start-coefficient and the high energy coefficient as an end-coefficient [Kastle: col. 1, lines 56-59; col. 5, lines 48-55].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the method of Kastle to Virdee to adjust the filter length by providing an adequate length of the adaptive filter in order to cancel echoes optimally in most environments [Virdee: col. 4, lines 29-39].

Regarding claim 40, Kastle teaches determining the start coefficient by identifying a first coefficient having an associated energy substantially equal to the low-end threshold value multiplied by the predetermined percentage (i.e. **a given factor**) of a sum of the energy of the plurality of first coefficients [col. 5, lines 31-37]; and determining the end coefficient (i.e. **high energy coefficient**) by identifying a last coefficient having an associated energy substantially equal to the high-end threshold value multiplied by the predetermined percentage (i.e. **a given factor**) of a sum of the energy of the plurality of first coefficients [col. 5, lines 9-16].

Regarding claims 41-43, the limitations are shown above.

5. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azriel [US 6,724,736 B1] in view of Virdee [US 5,473,686] and further, in view of Kastle [US 6,654,623 B1].

Regarding claim 45, Azriel teaches a gateway 42 operative to transmit signals between a circuit switched network (i.e. **PSTN**) and a packet based network shown in Fig. 2 [col. 1, line 61 to col. 2, line 19; col. 2, line 63 to col. 3, line 2; col. 3, lines 16-23], comprising: a plurality of digital to analog encoders and decoders (i.e. **Fig. 4, elements 93, 95, 107, 109**) ; and an echo cancellation device [col.. 8, lines 23-44]. Details about adaptive echo cancellation filtering are not shown. So one of ordinary skill in the art would have been motivated to seek any known adaptive filter used in an echo canceller, such as Virdee.

Virdee teaches an adaptive filter 212, as shown in Fig. 2, comprising:
a filter input for receiving a first signal (224);
a filter output for outputting a second signal (213) based upon the first signal;
an error input for receiving an error signal (214) ;
a plurality of second coefficients , each having an associated energy, wherein the second coefficients are modified based upon the error signal (214); and

an average energy value of all coefficients [col. 8, lines 11-20].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the adaptive filter of Virdee with the echo canceller of Azriel to cancel echoes.

However, Virdee does not teach expressly using low-end and high-end energy thresholds to compute a start coefficient and an end coefficient for selecting a plurality of second coefficients as a subset of the first coefficients. It may, however, be noted that using two energy thresholds—low and high thresholds—to identify two filter coefficients is well-known in the art. Further, Virdee also teaches adjusting filter length to generate second coefficients, regardless of which criterion is applied to select the second coefficients [col. 8, lines 52-64].

Kastle teaches a method of selecting a start coefficient (i.e. **low energy coefficient**) and end coefficient (i.e. **high energy coefficient**) by applying at least one threshold value to an energy value (i.e. **lower energy threshold**) [col. 5, lines 31-37] and (i.e. **(high) energy threshold**) [col. 5, lines 9-16], the energy value being a function of the energy of a plurality of first coefficients [col. 11, lines 4-12]. This is nevertheless a teaching to one of ordinary skill in the art to do the same thing in an adaptive filter by selecting a second set of coefficients having the low energy coefficient as a start-

coefficient and the high energy coefficient as an end-coefficient [Kastle: col. 1, lines 56-59; col. 5, lines 48-55].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to apply the method of Kastle to Virdee to adjust the filter length by providing an adequate length of the adaptive filter in order to cancel echoes optimally in most environments [Virdee: col. 4, lines 29-39].

Allowable Subject Matter

6. Claims 1-38, 44 and 46 are allowable

The following is a statement of reasons for the indication of allowable subject matter:

Claim 1 identifies the uniquely distinct feature of an adaptive filter for echo cancellation, comprising: a filter input for receiving a first signal; a filter output for outputting a second signal based upon the first signal; an error input for receiving an error signal; a plurality of first set coefficients, each having an associated energy, wherein the first set of coefficients are modified based upon the error signal; and a plurality of second set of coefficients having a start coefficient and an end coefficient, the second coefficients being a subset of the first set of coefficients, wherein the start coefficient and end coefficient are determined by applying at least one threshold value to an energy value, the energy value being a function of the energy of a plurality of first set of coefficients, wherein the second set of coefficients are used to derive the error

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signal. As such claim 1 requires deriving the error signal using the second set of coefficients. While the closest prior art, Virdee [US 5,473,686], Kastle [US 6,654,623 B1] and Strait [US 6,266,367 B1] each teach adaptive filtering, Virdee using a plurality of first coefficients, Kastle selecting a start coefficient and an end coefficient, and Strait exploiting pole-zero modeling; none of them show or suggest to utilize the second set of adaptive filter coefficients to derive the error signal. As such, the prior art, either singularly or in combination , fail to anticipate or render the above underlined limitation obvious. Therefore, claim 1 is allowable.

Claims 20, 44 and 46 are essentially similar to claim 1 and hence they are also allowable.

Claims 2-19 and 21-38 are allowable due to dependence from claims 1 and 20 respectively.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

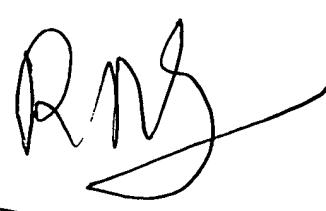
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Sinh can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramnandan Singh
Examiner
Art Unit 2646


SINH TRAN
SUPERVISORY PATENT EXAMINER